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INFORMATION DISCLOSURE TRANSMITTAL		Docket No. P5764-US-NP
Applicant:	Mark A. Carlson and Rowan E. da Silva	
Serial No:	10/051,991	
Filed:	January 16, 2002	
For:	METHOD, SYSTEM AND PROGRAM FOR DETERMINING A MODIFICATION OF A SYSTEM RESOURCE CONFIGURATION	
Examiner:	A. B. Hollar	
Art Unit:	2142	

<p style="text-align: center;">CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)</p> <p>The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on November 9, 2005.</p> <p style="text-align: right;"><i>Jan L. Mellen</i> Jan L. Mellen</p>
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Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In keeping with the duty of candor and good faith owed to the Patent and Trademark Office, Applicant wishes to bring information to the attention of the Examiner. The filing of this statement shall not be construed as a representation that a search has been made or as an admission that this information is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

Enclosures

- ☒ A form PTO-1449 listing this information is attached
- ☒ Copies of documents cited, other than U.S. patents and published U.S. patent applications, are enclosed.
- ☐ Copies of the cited documents are not enclosed because

Fees

- ☐ This statement is filed before the later of (1) three months of (i) the filing of a national application or (ii) the entry date for the national stage of an international application or (2) the mailing date of a first office action on the merits. No fee is due.
- ☒ This statement is filed before the mailing date of a final office action, a notice of allowance or an action that otherwise closes prosecution, and
- ☒ The submission fee of \$180.00 under 37 CFR §1.17(p) is enclosed, or
- ☐ The following certification is made:
- ☐ each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or

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- ☐ no item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.
- ☐ This statement is filed on or before payment of the issue fee, the submission fee of \$180.00 under 37 CFR §1.17(p) is enclosed, and
- ☐ each item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement, or
- ☐ no item of information contained in this statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in this statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

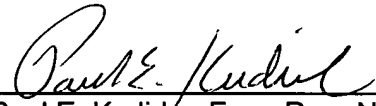
Payment

- ☒ A check in the amount of the submission fee is enclosed.
- ☐ Charge Account No. 02-3038 in the amount of the submission fee. A duplicate of this transmittal sheet is attached.

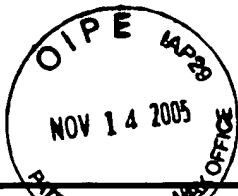
Authorization to Charge Additional Fees

- ☒ The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. §1.16 and §1.17 required by the attached paper and during the entire pendency of this application to Account No. 02-3038.

Respectfully submitted,


Paul E. Kudirka, Esq. Reg. No. 26,931
KUDIRKA & JOBSE, LLP
Customer Number 045774
Tel: (617) 367-4600 Fax: (617) 367-4656

Date: 11/9/05

**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT Sheet 1 of 7**

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Examiner: A. B. Hollar
Art Unit: 2142

U.S. PATENT DOCUMENTS

Exam Inits	Cite No.	Patent Number	Kind Code	Patentee or Applicant Name	Issue Date
		10/208,958		ALLEN	07/31/02
		20020019864	A1	MAYER	2/2002
		20020113816	A1	MITCHELL, ET AL.	08/22/02
		20020133669	A1	DEVIREDDY, ET AL.	9/2002
		20020143905	A1	GOVINDARAJAN, ET AL.	10/2002
		20020147801	A1	GULLOTTA, ET AL.	10/10/02
		20020162010	A1	ALLEN, ET AL.	10/2002
		20020169858	A1	BELLINGER, ET AL.	11/2002
		20020178380	A1	WOLF, ET AL.	11/2002
		20020184300	A1	SCHMELLING, ET AL.	12/2002
		20020188584	A1	GHANNAM	12/12/02
		20020194407	A1	KIM	12/2002
		20030028624	A1	HASSAN, ET AL.	2/2003
		20030091037	A1	LATIF, ET AL.	5/2003
		20030093501	A1	CARLSON, ET AL.	5/2003
		20030169289	A1	HOLT	09/11/03
		20030184580	A1	KODOSKY, ET AL.	10/02/03
		2,012,527	B1	BATCHELDER	08/27/35
		2,675,228	B1	BAIRD, ET AL.	04/13/54
		3,571,677	B1	OESCHGER	03/23/71

FOREIGN PATENT DOCUMENTS

Exam Inits	Cite No.	Cy	Number	Kind Code	Patentee or Applicant Name	Publication Date	T
		WO	WO0029954	A1	MTI TECHNOLOGY CORPORATION	5/25/2000	<input type="checkbox"/>
		WO	WO0130007	A2	IBM; MCDATA CORPORATION	4/26/2001	<input type="checkbox"/>
		WO	WO02089418	A1	THE BOEING COMPANY	11/7/2002	<input type="checkbox"/>
		WO	WO0225870	A1	STORAGEAPPS, INC.	3/28/2002	<input type="checkbox"/>
		WO	WO03014911	A1	SUN MICROSYSTEMS, INC.	2/20/2003	<input type="checkbox"/>
		EP	EP 0 623 876	A1	IBM CORP	11/9/1994	<input type="checkbox"/>
		EP	EP 0 773 649	A2	SUN MICROSYSTEMS, INC.	5/14/1997	<input type="checkbox"/>

Examiner
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**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT Sheet 2 of 7**

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U.S. PATENT DOCUMENTS

Exam Inits	Cite No.	Patent Number	Kind Code	Patentee or Applicant Name	Issue Date
		4,138,692	B1	MEEKER	02/06/79
		4,228,219	B1	DE JAGER	10/14/80
		4,558,395	B1	YAMADA	12/10/85
		4,665,466	B1	GREEN	05/12/87
		4,721,996	B1	TUSTANIWSKYJ	01/26/88
		4,729,424	B1	MIZUNO	03/08/88
		4,733,331	B1	CHAUVET	03/22/88
		4,791,983	B1	NICOL	12/20/88
		4,809,134	B1	TUSTANIWSKYJ	02/28/89
		4,870,477	B1	NAKANISHI	09/26/89
		4,882,654	B1	NELSON	11/21/89
		4,977,444	B1	NAKAJIMA	12/11/90
		5,144,531	B1	GO	09/01/92
		5,166,863	B1	SHMUNIS	11/24/92
		5,177,667	B1	GRAHAM	01/05/93
		5,183,104	B1	NOVOTNY	02/02/03
		5,282,847	B1	KOIZUMI	02/01/94
		5,305,461	B1	FEINENBAUM, ET AL.	4/1994
		5,323,847	B1	KOIZUMI	06/28/94
		5,406,807	B1	ASHIWAKE	04/18/95

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Exam Inits	Cite No.	Cy	Number	Kind Code	Patentee or Applicant Name	Publication Date	T
		GB	GB 2 278 468	A	INTERNATIONAL COMPUTERS LIMITED	11/30/1994	<input type="checkbox"/>
		GB	GB 2 344 963	A1	NORTEL NETWORKS CORP	6/21/2000	<input type="checkbox"/>
		GB	GB 2 354 611	A1	IBM CORP	3/28/2001	<input type="checkbox"/>
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U.S. PATENT DOCUMENTS

Exam Inits	Cite No.	Patent Number	Kind Code	Patentee or Applicant Name	Issue Date
		5,465,192	B1	YOSHIKAWA	11/07/95
		5,535,094	B1	NELSON	07/09/96
		5,588,119	B1	VINCENT	12/24/96
		5,675,473	B1	MCDUNN	10/07/97
		5,701,045	B1	YOKOZAWA	12/23/97
		5,706,668	B2	HILPERT	01/13/98
		5,751,933	B1	DEV	05/12/98
		5,771,388	B1	MONDRIK, ET AL.	6/1998
		5,912,802	B1	NELSON	06/15/99
		5,940,269	B1	KO	08/17/99
		5,950,011	B1	ALBRECHT	09/07/99
		6,029,742	B1	BURWARD-HOY	02/29/00
		6,031,528	B1	LANGFAHL	02/29/00
		6,050,327	B1	GATES	04/18/00
		6,058,426	B1	GODWIN, ET AL.	5/2000
		6,067,545	B1	WOLFF	5/2000
		6,067,559	B1	ALLARD, ET AL.	5/2000
		6,101,616	B1	JOUBERT	08/08/00
		6,118,776	B1	BERMAN	09/12/00
		6,119,118	B1	KAIN, ET AL.	9/2000

FOREIGN PATENT DOCUMENTS

Exam Inits	Cite No.	Cy	Number	Kind Code	Patentee or Applicant Name	Publication Date	T
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U.S. PATENT DOCUMENTS

Exam Inits	Cite No.	Patent Number	Kind Code	Patentee or Applicant Name	Issue Date
		6,125,924	B1	LIN	10/03/00
		6,130,820	B1	KONSTAD	10/10/00
		6,135,200	B1	OKOCHI	10/24/00
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		6,144,379	B1	BERTRAM	11/07/00
		6,151,031	B1	ATKINS, ET AL.	11/2000
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		6,167,445	B1	GAI, ET AL.	12/2000
		6,182,142	B1	WIN, ET AL.	01/30/01
		6,205,796	B1	CHU	03/27/01
		6,205,803	B1	SCARINGE	03/27/01
		6,213,194	B1	CHRYSLER	04/10/01
		6,229,538	B1	MCINTYRE	05/08/01
		6,243,747	B1	LEWIS	06/05/01
		6,313,990	B1	CHEON	11/06/01
		6,314,555	B1	NDUMU, ET AL.	11/2001
		6,392,667	B1	MCKINNON, ET AL.	5/2002
		6,396,697	B1	CHEN	05/28/02
		6,408,336	B1	SCHNEIDER, ET AL.	06/18/02
		6,425,005	B1	DUGAN	7/2002

FOREIGN PATENT DOCUMENTS

Exam Inits	Cite No.	Cy	Number	Kind Code	Patentee or Applicant Name	Publication Date	T
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**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT Sheet 5 of 7**

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Exam Inits	Cite No.	Patent Number	Kind Code	Patentee or Applicant Name	Issue Date
		6,425,007	B1	MESSINGER	07/23/02
		6,438,984	B1	NOVOTNY	08/27/02
		6,477,572	B1	ELDERTON	11/05/02
		6,487,643	B1	KHARE, ET AL.	11/2002
		6,496,871	B1	JAGANNATHAN, ET AL.	12/17/02
		6,526,768	B1	WALL	03/04/03
		6,542,360	B1	KOIZUMI	04/01/03
		6,574,708	B1	HAYTER, ET AL.	6/03
		6,587,343	B1	NOVOTNY	07/01/03
		6,604,136	B1	CHANGE, ET AL.	8/2003
		6,604,137	B2	COWAN	08/05/03
		6,628,304	B2	MITCHELL	09/30/03
		6,636,239	B1	ARQUIE	10/21/03
		6,658,526	B2	NGUYEN, ET AL.	12/2003
		6,671,776	B1	DEKONING	12/2003
		6,704,778	B1	HORMAN	3/2004
		6,714,936	B1	NEVIN	03/30/04
		6,760,761	B1	SCIACCA	7/2004
		6,772,204	B1	HANSEN	8/2004
		6,775,700	B1	CHENG, ET AL.	08/10/04
		6,799,208	B1	SANKARANARAYAN, ET AL.	9/2004
		6,823,382	B2	STONE	11/2004
		6,834,298	B1	SINGER, ET AL.	12/2004
		6,845,395	B1	BLUMENAU, ET AL.	01/18/05
		6,871,232	B2	CURIE, ET AL.	3/2005

FOREIGN PATENT DOCUMENTS

Exam Inits	Cite No.	Cy	Number	Kind Code	Patentee or Applicant Name	Publication Date	T
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**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT Sheet 6 of 7**

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 Art Unit: 2142

OTHER PRIOR ART – NON PATENT LITERATURE AND DOCUMENTS

Exam Inits	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the articles (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
		ANONYMOUS, "Jiro Technology Technical Overview", URL:http://sunsolve.sun.com/kmsattachments/22961, 2000	<input type="checkbox"/>
		ANONYMOUS, "Sun's Managed Storage Networks", URL:http://sunsolve.sun.com/kmsattachments/22955, 2000	<input type="checkbox"/>
		ANONYMOUS, "Jiro Technical Overview White Paper, Free White Papers/Tech Bulletins, Sun-Solve Search Result", URL:http://sunsolve.sun.com/pub- cgi/retrieve.pl?doc=fwpaper/22961@zone_32=jiro, June 28, 2000	<input type="checkbox"/>
		ANONYMOUS, "Managed Storage Networks White Paper, Free White Papers/Tech Bulletins, Sun-Solve Search Result", URL:http://sunsolve.sun.com/pub- cgi/retrieve.pl?doc=fwpaper/22955@zone_32=managed, June 28, 2000	<input type="checkbox"/>
		ANONYMOUS, "Introduction to Jiro Technology, Javaone - Sun's 2000 Worldwide Java Developer Conference", URL:http://servlet.java.sun.com/javaone/javaone2000/pdfs/TS-1156.pdf, November 24, 2003	<input type="checkbox"/>
		ANONYMOUS, "Jini: New Technology for a Networked World", URL:http://javaworld.com/javaworld/jw-06-1999/jw-06-jiniology_p.html, June 30, 1999, Pages 1-5	<input type="checkbox"/>
		ANONYMOUS, "Pattern: Blackboard", http://www.vico.org/pages/Patrons%20Blackboard, July 12, 2002, Pages 1-2	<input type="checkbox"/>
		BLAKE, "An Agent-Based Cross-Organizational Workflow Architecture in Support of Web Services", Proceedings of 11th IEEE Int'l Workshops on Enabling Tech., 2002 IEEE, Computer Science	<input type="checkbox"/>
		BRENT KNIGHT, "Reducing the Complexity of Managing Private Loops", 2000, 1-11	<input type="checkbox"/>

Examiner Signature		Date Considered	
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**INFORMATION DISCLOSURE STATEMENT
BY APPLICANT Sheet 7 of 7**

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OTHER PRIOR ART – NON PATENT LITERATURE AND DOCUMENTS

Exam Inits	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the articles (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
		BUSHMAN, "Pattern Oriented Software Architecture, A System of Patterns", 1996, Pgs 71-95, John Wiley & Sons, New York	<input type="checkbox"/>
		BUSINESS EDITORS & HIGH-TECH WRITERS, "Tivoli Simplifies SAN Management", Business Wire, October 9, 2000, New York	<input type="checkbox"/>
		CAZALENS, ET AL., "A Web Site Indexing Process for an Internet Information Retrieval Agent System", Unknown, 2000 IEEE, 254-258, Unknown, Nantes Cedex	<input type="checkbox"/>
		DUPUY, ET AL., "NETMATE: A NETWORK MANAGEMENT ENVIRONMENT", IEEE NETWORK, March 5, 1991, 35-40, 43, New York	<input type="checkbox"/>
		FINKE, ET AL., "Distribution and Inheritance in the HERON Approach to Heterogeneous Computing", Proceedings of the Int'l Conf on Distributed Computing Systems, May 25, 1993, 399-408, IEEE Comp Soc Press, Los Alamitos	<input type="checkbox"/>
		MARTIN, JEAN-CHRISTOPHE, "Policy-Based Networks", URL: http://www.sun.com/solutions/blueprints/1099/policy.pdf , Date Unknown	<input type="checkbox"/>
		MUKHOPADHA, ET AL., "Multi-Agent Markov Decision Processes With Limited Agent Communication", Proceedings of the 2001 IEEE, Sept. 5-7, 2001, Pgs. 7-12, Mexico City	<input type="checkbox"/>
		RICHARD, "Fibre Channel as a Network Backbone", WESCON/94, IDEA/MICROELECTRONICS, Conference record Anaheim, Date Unknown, 653-659, New York	<input type="checkbox"/>
			<input type="checkbox"/>

Examiner Signature		Date Considered	
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